

## REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the Office Action dated March 1, 2007, the Examiner rejected claims 1-12, under 35 U.S.C. §102(b), as allegedly being anticipated by Luther Weindorf (U.S. Patent Pub. No.2002/0118182).

By this Amendment, claims 1-20 have been amended to provide a clearer presentation of the claimed subject matter. Applicants submit that no new matter has been introduced. As such, claims 1-20 are presented for examination of which claims 1 and 9 are independent.

Applicant respectfully traverses the prior art rejections, under 35 U.S.C. §102(b), for the reasons presented below.

### I. Prior Art Rejections.

As indicated above, independent claim 1 positively recites, *inter alia*, the features of ***determining a target display brightness level of the display unit responsive to the lightness detected by the means for detecting the lightness, and changing the display brightness level of the display unit incrementally with time until the display brightness level of the display unit reaches the target display brightness level.***

These features are amply supported by the embodiments described in the Specification. (See, e.g., Specification: page 11, lines 5-24; page 14, lines 6-8; Figures 4 and 8).

With this said, Applicants respectfully submit that the Luther Weindorf citations relied upon by the Examiner do little in the way of establishing anticipation. For example, Luther Weindorf merely discloses that “manual brightness or luminance adjustments, including preference offsets to the automatic brightness control transfer function on a log-log plot, have essentially constant ratio steps, enabling a user to perceive the adjustments as equal brightness changes. By implementing a user preference offset adjustment using constant ratio luminance steps, the automatic brightness control system may be adjusted in a manner to suit

one or more viewing preferences” (paragraph 12 of Luther Weindorf). However, target brightness level in the claimed invention is determined based on the lightness detected, wherein the optimum brightness value for current use is determined based on detected data value and settings (page 9, line 24 - page 10, line 9 of Applicant’s as-filed specification).

In contrast, Luther Weindorf, in paragraph 29 merely states that the logarithmic sensor may be used to provide brightness adjustments in relation to the capability of a human eye to perceive changes in the brightness, wherein the human eye perceives brightness in constant ratio steps, which are non-linear and logarithmic (paragraph 30). There is no teaching or suggestion in Luther Weindorf, whatsoever, of *determining a target display brightness level of the display unit responsive to the lightness detected by the means for detecting the lightness*, as required by Applicant’s claim 1.

Moreover, Table 1 of Luther Weindorf merely depicts step numbers for values of Automatic night luminance, Automatic day luminance, Photodiode, and Logarithmic amplifier, wherein the brightness may be adjusted based on night or day luminance values. So, based on the light detected, a step number is selected, and the display brightness is adjusted using the corresponding day/night luminance value from the table. There is no recitation or suggestion in Luther Weindorf, whatsoever, of the brightness level being changed incrementally with time, as required by Applicant’s claim 1. The main point is that the use of step numbers to adjust brightness (as in Luther Weindorf) is not the same as changing the display brightness incrementally with time until a target brightness level is reached. In the claimed invention, the target brightness level is calculated based on the lightness detected, and in order to avoid a burden to user’s vision due to abrupt change in display brightness, the display brightness is changed incrementally until the target brightness level is reached. Moreover, page 11, lines 16-24 of Applicant’s as-filed specification discloses, as an example, that brightness in a range of brightness values is divided into 256 steps, wherein the brightness is changed one step every predetermined interval of time until the target brightness is reached. Hence, Luther Weindorf clearly fails to teach or suggest the *changing the display brightness level of the display unit incrementally with time until the display brightness level of the display unit reaches the target display brightness level*, as required by Applicant’s claim 1.

Furthermore, paragraph 72, lines 7-16 of Luther Weindorf (cited by the Examiner) merely discloses that a filter may cause the backlight display device to wait a longer time before changing the display brightness, if the ambient light changes are large, wherein the filter determines the number of steps between the desired luminance and current luminance. The number of steps is multiplied by a time constant to determine a delay period, wherein a step number is assigned for values of Automatic night luminance, Automatic day luminance, Photodiode, and Logarithmic amplifier (Table 1 of Luther Weindorf). Again, there is no recitation or suggestion in Luther Weindorf, whatsoever, of the *changing the display brightness level of the display unit incrementally with time until the display brightness level of the display unit reaches the target display brightness level*, as required by Applicant's claim 1.

Hence, Applicants submit that claim 1 is clearly patentable. And, because claims 2-8 depend from claim 1, either directly or indirectly, claims 2-8 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, the immediate withdrawal of the prior art rejections of claims 1 and 2-8 is respectfully requested.

Applicants further submit that because independent claim 9 recites similar patentable features as claim 1, claim 9 is also patentable for the same reasons given relative to claim 1. And, because claims 10-12 depend from claim 9, claims 10-12 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, immediate withdrawal of the prior art rejections of claims 9 and 10-12 is respectfully requested.

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicants respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **03-3975**.

The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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